

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ALAN BACA and J. ALAN BACA,

Plaintiffs,

vs.

Civ. No. 14-1051KG/LF

REDDY ICE CORPORATION,
ALBUQUERQUE SAM'S CLUB # 4938,
SAM'S WEST, INC., and WAL-MART STORES, INC.,

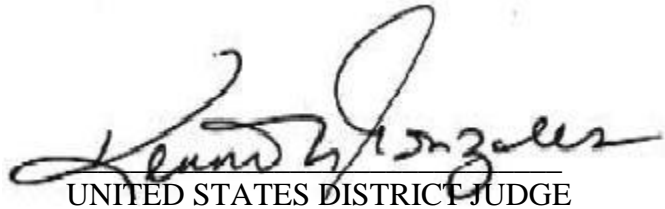
Defendants.

ORDER DENYING COST BILL WITHOUT PREJUDICE

This matter comes before the Court upon the Amended Defendant Reddy Ice Corporation's Cost Bill (Cost Bill), filed on November 10, 2015. (Doc. 66). Although Defendant Reddy Ice Corporation (Reddy Ice) provided an itemization of attorney's fees and costs, a copy of the invoice for the deposition of Plaintiff Alan Baca, and a generalized affidavit by Reddy Ice's attorney, the Cost Bill is deficient for several reasons. First, the Cost Bill neither indicates the hourly rate charged by Reddy Ice's counsel nor does it indicate the amount of time the attorney spent on each listed activity. *See* D.N.M. LR-Cv 54.5 (in filing motion for attorney's fees, "[m]ovant must submit a supporting brief and evidence (affidavits and time records)."). Second, Reddy Ice's generalized affidavit fails to attest to the reasonableness of both a requested hourly rate and the attorney time spent on the listed activities. For these reasons, the Court denies the Cost Bill without prejudice to Reddy Ice filing a renewed Cost Bill with the requisite hourly rate, attorney time spent on each activity, and supporting affidavit.

IT IS ORDERED that

1. the Amended Defendant Reddy Ice Corporation's Cost Bill (Doc. 66) is denied without prejudice;
2. Reddy Ice may file a renewed Cost Bill in compliance with this Order Denying Cost Bill Without Prejudice (Order) no later than fourteen calendar days from the filing of this Order; and
3. Mr. August Rane will then have fourteen calendar days to object to the renewed Cost Bill.



UNITED STATES DISTRICT JUDGE